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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,522	02/14/2002	Susanne H. Goodson	2001.ALC	6712

7590 12/30/2003

Thomas F. Roland
NATIONAL STARCH AND CHEMICAL COMPANY
P.O. Box 6500
Bridgewater, NJ 08807-0500

EXAMINER

BENNETT, RACHEL M

ART UNIT	PAPER NUMBER
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1615

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,522

Applicant(s)

GOODSON ET AL.

Examiner

Rachel M. Bennett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 . 6) ☐ Other: _____

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DETAILED ACTION

The examiner acknowledges receipt of the IDS filed 5/29/03.

Election/Restrictions

1. Applicant's election with traverse of Group I, claims 1-10 in Paper No. 5 is acknowledged. The traversal is on the ground(s) that the suggested species are not elements of Group I. The examiner agrees; the election of species should have been drawn to Groups II and III, not I and II. Therefore, the election of species requirement is withdrawn for Group I. Claims 1-10 will be examined.

The requirement is still deemed proper and is therefore made FINAL.

Specification

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Waschenbach et al. (WO 00/06684).

Applicants claim a solid polymer film comprising a polymer comprising a) 2 to 60 mole percent of protonated amine monomer units, wherein said protonation is formed by a fixed acid; and b) 40 to 98 percent of hydrophobic monomer units.

Waschenbach discloses a composition for use in a dishwasher which is provided in the form of a tablet. The composition is characterized by a base composition which essentially

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carries out its function during the rinse cycle of the dishwasher. The particle also has a coating which, for the most part, completely surrounds the core(s). Said coating comprises at least one compound whose solubility increases with a declining concentration of a specific ion in the surrounding medium. The at least one particle is arranged in or on the tablet in such a way that the surface of the particle(s) is, at most, partially in direct contact with the surface of the base composition surrounding this/these particles. In order to prevent the coating from substantially dissolving or to prevent the coating from substantially detaching from the core(s), the concentration of the specific ion in the local surrounding of the particle(s) is sufficiently high until the tablet has, for the most part, completely dissolved. See abstract. Preferably the solubility of the compound increases with decreasing OH⁻ ionic concentration and therefore decreasing pH-value in the surrounding medium. Preferably, the compound comprise a polymer, particularly preferred manner a pH sensitive polymer, which comprises at least one repeat unit, which has one basic function, which is not part of the polymer backbone. In a preferred embodiment the polymer comprises at least one repeat unit, which is based on a compound selected from the group comprising vinyl alcohol derivatives, acrylates or alkyl acrylates having said basic function. According to a special embodiment of the invention the polymer is a carbohydrate functionalized with said base function. The basic function is preferably an amine, in particularly preferred manner a secondary or tertiary amine. According to an alternative, the repeat unit is based on a compound – Formula III, and preferably the repeat unit is based on compound – Formula IV. See pages 8-10. Therefore, these claims are anticipated.

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Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel M. Bennett whose telephone number is (703) 308-8779. The examiner can normally be reached on Monday through Friday, 8:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page can be reached on (703) 308-2927. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3592.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1234.

rmb


THURMAN K. PAGE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600